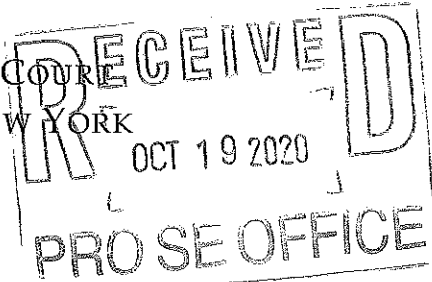


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



LEON GREATHOUSE

No. **20-cv-8748**  
(To be filled out by Clerk's Office)

Write the full name of each plaintiff.

-against-

Freddie Vasquez

Cyrus Vance

City of New York

**COMPLAINT**  
(Prisoner)

Do you want a jury trial?

☒ Yes ☐ No

Write the full name of each defendant. If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section IV.

**NOTICE**

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

**I. LEGAL BASIS FOR CLAIM**

State below the federal legal basis for your claim, if known. This form is designed primarily for prisoners challenging the constitutionality of their conditions of confinement; those claims are often brought under 42 U.S.C. § 1983 (against state, county, or municipal defendants) or in a "Bivens" action (against federal defendants).

☒ Violation of my federal constitutional rights

☐ Other: \_\_\_\_\_

**II. PLAINTIFF INFORMATION**

Each plaintiff must provide the following information. Attach additional pages if necessary.

**LEON****GREATHOUSE**

First Name

Middle Initial

Last Name

None

State any other names (or different forms of your name) you have ever used, including any name you have used in previously filing a lawsuit.

NONE

Prisoner ID # (if you have previously been in another agency's custody, please specify each agency and the ID number (such as your DIN or NYSID) under which you were held)

Mohawk C.F.

Current Place of Detention

6514 Rt. 26, P.O. Box 8451

Institutional Address

ONEIDA, Rome

New York

13442

County, City

State

Zip Code

**III. PRISONER STATUS**

Indicate below whether you are a prisoner or other confined person:

☐ Pretrial detainee

☐ Civilly committed detainee

☐ Immigration detainee

☒ Convicted and sentenced prisoner

☐ Other: \_\_\_\_\_

## IV. DEFENDANT INFORMATION

To the best of your ability, provide the following information for each defendant. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are identical to those listed in the caption. Attach additional pages as necessary.

Defendant 1:

Freddie Vasquez ?  
 First Name Last Name Shield #

Police officer

Current Job Title (or other identifying information)

2271-89 Frederick Douglas Blvd. (28th Precinct)

Current Work Address

New York, Manhattan, New York 10027

County, City

State

Zip Code

Defendant 2:

Cyrus Vance  
 First Name Last Name Shield #

District Attorney

Current Job Title (or other identifying information)

1 Hogan Place

Current Work Address

New York, Manhattan, New York 10013

County, City

State

Zip Code

Defendant 3:

City of New York  
 First Name Last Name Shield #

Current Job Title (or other identifying information)

Current Work Address

New York, Manhattan, New York 10013

County, City

State

Zip Code

Defendant 4:

First Name Last Name Shield #

Current Job Title (or other identifying information)

Current Work Address

County, City

State

Zip Code

IV. STATEMENT OF THE CLAIM

10. At all relevant times herein, Defendants were "Persons" for purposes of New York State Law and 42 U.S.C. section 1983 and acted Under Color of Law to deprive Plaintiff the Rights, Privileges and Immunities secured by the Constitution or laws of the United States, as set forth more fully herein.

VI. FACTS OF THE CLAIM

11. On June 2, 2000, a warrant for murder in the 2nd degree was issued for my arrest, as well, posters were posted throughout the city of Manhattan Harlem by the 28th precinct of me for the 2nd degree murder. The posters stated that I was armed and dangerous.

12. On June 12, 2000 I presented myself into the 28th precinct with my attorney. I was placed under arrest for the murder by defendant Freddie Vasquez.

13. On June 12, 2000, I was arraigned in court before a judge in the Manhattan criminal court. A bail of one (1) dollar was placed.

14. On June 16, 2000, I was brought back to court before the judge and the Manhattan District Attorney's Office released me on ROR.

15. On June 12, 2000, the Manhattan District Attorney's Office announced that they were ready for trial, however, throughout the course of the next two years, that office began to continuously post-pone the case's calendar date with an excuse "needing more time to investigate the case" and were in fact not ready.

16. Within the mist of the next two years (2000-2002), I was accused of a next criminal case, in which I was charged for drug possession on May 31, 2001.

17. In 2002, I was convicted at trial and as a result, I was given a 3 years to life parole sentence.

18. I was then transferred by NYC DOCCS in the NYS DOCCS and then transferred to Downstate Correctional Facility. From Downstate, I was transferred to Ulster Correctional Facility. Sometime soon thereafter, I was moved to Lakeview Shock program. A few months later, I was removed from the Shock program due to a memo received by Shock, of a pending murder charge on my criminal rap sheet and an offer surfaced from the Manhattan District Attorney's office that I plead guilty to "Queen for a Day," which was refused by me.

19. On several occasions between the years of 2002 to 2005, I was ordered to Manhattan criminal court, interrupting my prison term of 3 years-to-life on parole, until I was finally released on March 14, 2005 from Cossackie Correctional Facility.

20. While released on parole during the time period of 2002 thru 2005, the Manhattan criminal court summoned me to court for the Murder charge

21. On or around September 20, 2007, I was again arrested for a next drug case in Saratoga, New York.

22. On May 23, 2008, I was sentenced by Judge J. Scarano to 7 years determinate, in Saratoga County.

23. Throughout the course of this prison term, the Manhattan District Attorney's office called me annually (every July 25, it seems).

24. On or around July 25, 2011, the Manhattan District Attorney's Office submitted an order to produce me to court.

25. On or around July 25, 2012, the court issued a warrant for my arrest for failing to appear for the murder charges, the Manhattan District Attorney's office however, never sent an order to produce to the Department of Corrections for me to appear in court.

26. In May of 2013, I appeared before the parole authorities for release, for the first time. At the hearing, I was starkly questioned about the fraudulent murder charge, which was the clandestine reason why I was denied parole.

27. In 2015, I again appeared before the parole board for release consideration, and again, I was starkly questioned about the fraudulent murder case, and again, I was denied parole release.

28. In April of 2017, I sought the help of the Legal Aid Society and was represented by that office, whom submitted an order to show cause to the Manhattan Criminal Court.

29. In May of 2017, I again appeared at the parole board for the third time. The parole board postponed my release consideration date for "lack of consensus."

30. In July of 2017 the parole board again postponed my release considerations for "lack of consensus."

31. On October 19, 2017, a disposition for docket #2000 was issued dismissing against me, the fraudulent Murder 2nd charge, which pending against me for 17 years and 4 months.

32. In December of 2017, I appeared before the parole board while incarcerated at Cossackie c.f.,

33. Also in December of 2017, a state habeas corpus application was filed in the Greene County Court regarding the unlawful parole board

**INJURIES:**

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

**VI. RELIEF**

State briefly what money damages or other relief you want the court to order.

2.5 million dollars in compensatory damages  
and 2.5 million dollars in punitive damages; attorney  
fees for any attorney hired to represent me in this action or  
whom is appointed; the costs and fees of filing, copying and  
all other fees associated with this action including stenographic  
, witness expenses and trial matters.

decisions, which denied me release for the murder 2nd crime of which I was never convicted, subsequently, I was released on January 23, 2018, and all references to that charge has been expunged from my criminal record.

34. On June 12, 2000, when I presented to the 28th precinct, I was interviewed/interrogated by detective Vasquez, at which time I informed this official that I did not commit the crime and that I was inside my residence at the time of the murder, when I was asked: "where was I during [ ] the time in question."

35. Officer Vasquez stated that he believed that I did not commit the murder during the time of the interview/interrogation but that, he had to arrest me because of the seriousness of the charge and because I was wanted for the murder as shown on the "wanted" poster.

#### CLAIM 1

Officer Vasquez violated my fourth amendment right to the U.S. Constitution, when on June 12, 2000, he handcuffed and arrested me for murder 2nd degree, against my will, where, at the interview/interrogation, I informed this official that I did not commit the murder; and the charge for which this official was arresting me, was subsequently dismissed.

#### CLAIM 2

Detective Vasquez violated my fourth amendment right to the US constitution, when on June 12, 2000, he maliciously prosecuted me because he swore out a complaint against me that he knew was false, misleading and entirely unsupported by the evidence and where this official stated to me at the interview/interrogation that he believed me, that I did not commit the murder, but that he had to arrest me, because of the seriousness of the allegations and because of the "wanted poster"; the case was never even indicted and was subsequently dismissed, by a sitting supreme court judge, and this prosecution caused the parole board to continually deny me release to parole.

#### CLAIM 3

District Attorney Cyrus Vance violated my fourth amendment right to the US Constitution, when on or around June 12, 2000, he maliciously prosecuted me because he continued a felony prosecution against me,

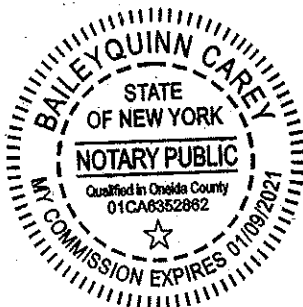
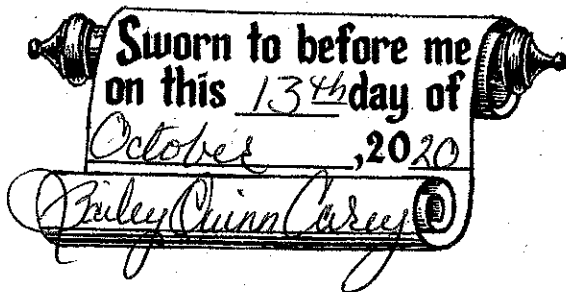


that he knew was false, misleading and entirely unsupported by the evidence and belittled the seriousness of the murder and the claim against me by offering "Queen for the day" plea; the case was never indicted and caused the parole board to continually deny me release to society, and the charges were subsequently dismissed.

CLAIM 4

The City of New York violated my fourth amendment right to the US Constitution because the City failed to properly train and/or supervise its New York City police officers regarding the officers knowingly, but falsely, swearing to, and filing false and misleading, and unsupported criminal charges against me ( and similarly situated, others), when the City of New York officials knew that its failure to properly train and properly supervise, would violate the rights of those, whom the City employs as officers to interact with the citizens of its City.

*Leon G. Greathouse*  
Leon Greathouse



**VII. PLAINTIFF'S CERTIFICATION AND WARNINGS**

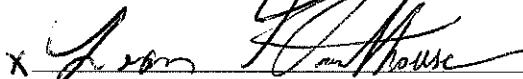
By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I understand that if I file three or more cases while I am a prisoner that are dismissed as frivolous, malicious, or for failure to state a claim, I may be denied *in forma pauperis* status in future cases.

I also understand that prisoners must exhaust administrative procedures before filing an action in federal court about prison conditions, 42 U.S.C. § 1997e(a), and that my case may be dismissed if I have not exhausted administrative remedies as required.

I agree to provide the Clerk's Office with any changes to my address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

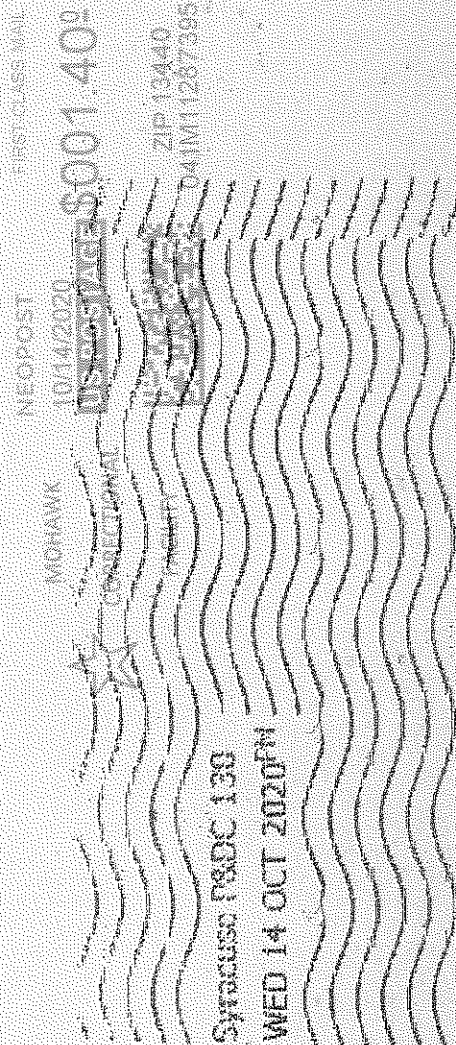
Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

x	<u>10/10/20</u>		x	<u></u>
	Dated			Plaintiff's Signature
	<u>Leon</u>			<u>Greathouse</u>
	First Name	Middle Initial		Last Name
	<u>Mohawk C.F., 6514 Rt. 26, P.O. Box 8451</u>			
	Prison Address			
	<u>Oneida, Rome,</u>	<u>New York</u>		<u>13442</u>
	County, City	State		Zip Code

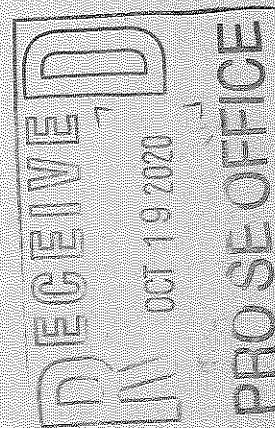
Date on which I am delivering this complaint to prison authorities for mailing: 10/10/20 x



LEON GREATHOUSE DIN:19-R-1258  
MOHAWK CORRECTIONAL FACILITY  
6514 RT.26  
P.O.BOX 8450  
ROME,NY 13442



U.S.DISTRICT COURTHOUSE  
SOUTHERN DISTRICT OF NEW YORK  
DANIEL PATRICK MOYNIHAN,U.S. COURTHOUSE  
500 PEARL STREET  
NEW YORK,NEW YORK 10017-1316



*Pro Se SM*

LEGAL MAIL

RECEIVED  
OCT 19 2020  
PROSE OFFICE